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Total Number Of Pages Including Cover Page 4**FAX TO**

Name	Company	Fax Number	Phone Number
Board of Patent Appeals and Interferences	United States Patent and Trademark Office	571-273-0053	

Original will follow via: Regular Mail Overnight Delivery Messenger None

NOTES:

U.S. Serial No.: 10/613,698

Inventor(s): Patel et al.

Title: DELIVERY SYSTEM FOR TOPICAL MEDICATIONS

Attorney Docket No.: 03-40102-US

Art Unit: 1615

Enclosures:

Notice of Appeal with Certificate of Facsimile Transmission - January 9, 2007 (1 page in duplicate)

Credit Card Form PTO-2038 (1 page)

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PTO/SB/31 (08-08)

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NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

03-40102-US (848966.20129)

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on January 9, 2007

Signature Tamara YoritaTyped or printed name Tamara YoritaIn re Application of
Patel et al.Application Number
10/613,698Filed
July 3, 2003

For Delivery System For Topical Medications

Art Unit
1615Examiner
Isis Ghali

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

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A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

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A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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I am the

applicant/inventor.

assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
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attorney or agent of record.

Registration number 44,677

215-241-7988

Telephone number

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34.

January 9, 2007

Date

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
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This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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